

1 BILL NO. Z-81-09-05

2 ZONING MAP ORDINANCE NO. Z-05

3
4 AN ORDINANCE amending the City of
5 Fort Wayne Zoning Map No. M-10.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
7 WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is
9 hereby designated a B-1-A District under the terms of Chapter
10 33, The Code of the City of Fort Wayne, Indiana of 1974:

11 Lot #3 in Baltes, Koenig and Wagners
12 Addition,

13 and the symbols of the City of Fort Wayne Zoning Map No. M-10,
14 referred to therein, established by Section 33-11 of said
15 Chapter are hereby changed accordingly.

16
17 SECTION 2. That this Ordinance shall be effective upon
18 passage, approval by the Mayor and legal publication thereof.

19
20 Mark E. Galum
21 COUNCILMAN

22 APPROVED AS TO FORM AND
23 LEGALITY SEPTEMBER 4, 1981.

24 Bruce O. Boxberger
25 BRUCE O. BOXBERGER, CITY ATTORNEY
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27
28
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32

Read the first time in full and on motion by Jim Dunlap, seconded by W. Westerman, and duly adopted, read the second time by title and referred to the Committee Resolution (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 9-8-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Jim Dunlap, seconded by W. Westerman, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>5</u>	<u>4</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	<u>X</u>	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-10-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

WINFIELD C. MOSES, JR.
MAYOR

Nov. 10

BILL NO. Z-81-09-05 1

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. M-10

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE ~~DO NOT~~ PASS.

MARK E. GIAQUINTA, CHAIRMAN

Mark E. Giaquinta

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

Vivian G. Schmidt

JAMES S. STIER

James S. Stier

DONALD J. SCHMIDT

CONCURRED IN
DATE 11-10-81 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 October 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 26, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-09-05
2. From R-3 to B-1-A
3. Intended Use: Beauty Salon and Electrolysis
4. Plan Commission Recommendation: DO NOT PASS


This ordinance received a DO NOT PASS recommendation for the following reason:

REASON: This proposed zoning will establish an undesirable precedent in the area for future none residential requests which in our opinion are not desirable.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb.

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 8, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-09-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

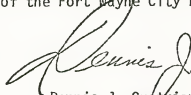

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 19, 1981;

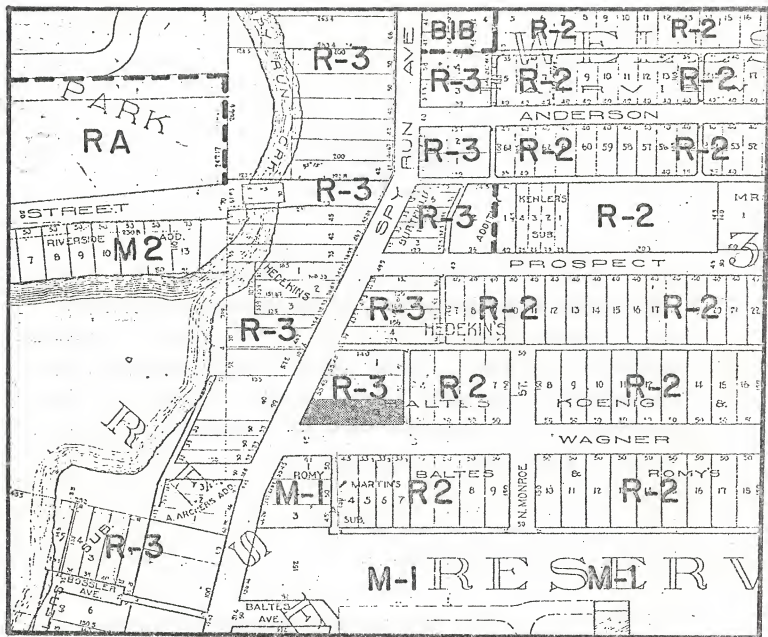
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 26, 1981.

Certified and signed this
30th day of October 1981.

 
Dennis J. Grodzian
Secretary



 ZONING RECLASSIFICATION FROM
AN R-3 TO A BIA DISTRICT.

Z-81-09-05

MAP NO. M-10

BY G.R. LAX 8-18-81



BILL NO. Z-81-09-05

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, IN 46802

9 October 1981

NOTICE OF PUBLIC HEARING ON ZONING MAP AMENDMENT

You are hereby notified that the City Plan Commission will conduct a public hearing on Monday, October 19, 1981 at 7:00 P.M. (EST) in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on a proposed amendment to the Zoning Ordinance of the City of Fort Wayne, Indiana, which proposes to change the following described real estate from an R-3 - Multiple Family Residential District to a B-1-A - Limited Business District.

Lot #3 in Baltes, Koenig and Wagner's Addition
(SEE REVERSE SIDE FOR MAP OF AREA)

All interested persons are invited to appear and be heard. Any written material may be submitted to the Plan Commission Office prior to the public hearing.

NOTE: THE LAW REQUIRES THAT A LEGAL AD BE PUBLISHED IN THE NEWSPAPERS. NOTICES TO AREA RESIDENTS ARE SENT AS A COURTESY. IT IS ADVISED THAT YOU NOTIFY MEMBERS OF YOUR NEIGHBORHOOD ASSOCIATION OF THE ABOVE PUBLIC HEARING.

RECEIPT

Date

8/7

1981

No.

15992

Received From

J. J. Immerfall

Address

1404 Spy Run

Fifty and 00/100

Dollars

\$50.00

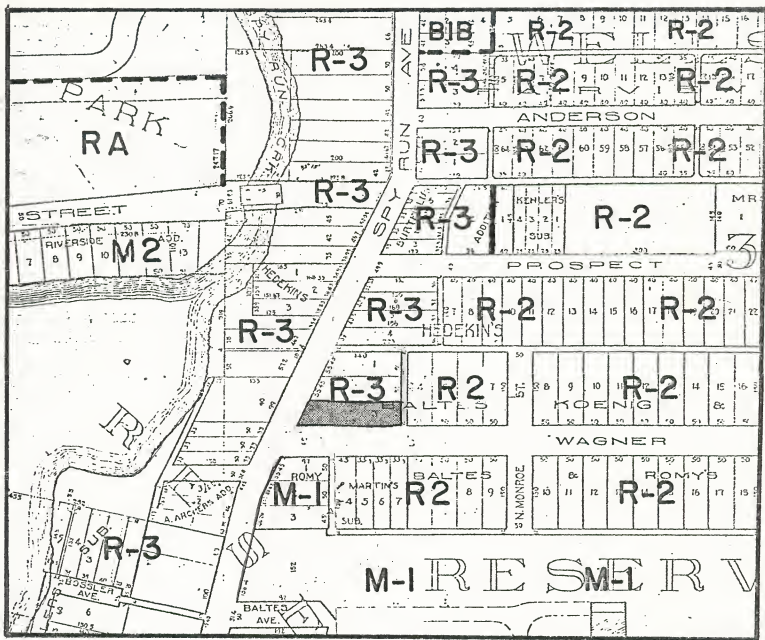
For

Returning 1404 Spy Run

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT	50.00	CASH	
AMT. PAID	50.00	CHECK	707
BALANCE DUE		MONEY ORDER	

By

Kathy Schnapp



 ZONING RECLASSIFICATION FROM AN R-3 TO A BIA DISTRICT.

Z-81-09-05

MAP NO. M-10

BY G.R. LAX 8-18-81



RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Trudy J. Immerfall
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an B1-A District the property described as follows:

1404 SPY RUN AVENUE

(Legal Description) If additional space is needed, use reverse side.

LOT #3 BATES, KOENIG AND WAGNERS
ADDITIONAL

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

TRUDY J. IMMERFALL 1404 SPY RUN AV. Trudy Immerfall

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Trudy J. Immerfall 1404 SPY RUN AV. 126-6388
(Name) (Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

0411

DIGEST SHEET

Admn. Appr. _____

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-81-09-05

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lot #3 in Baltes, Koenig and Wagners Addition,
more commonly known as 1404 Spy Run Avenue.

EFFECT OF PASSAGE Property is now zoned R-3 - Multiple Family Residential.
Property will become B-1-A - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____